

REMARKS

Claims 33 through 50 are pending in the application and stand rejected under §102(b) as anticipated by Jaeger '908 and Hyde '949. Claims 33 through 50 are also rejected under § 103(a) as obvious in view of Jaeger '908 or Hyde '904 in combination with the published application to Hoshi '546. It is respectfully submitted that all of the presently pending claims as amended and presented herein patentably distinguish over the cited references alone or in combination.

As amended herein, independent claim 33 calls for a nonwoven composite material comprising a nonwoven material and an extruded film layer adhered to the nonwoven material. The extruded film layer is prepared from a blended composition that includes an unsaturated styrenic triblock copolymer having a meltflow rate that is less than 20 g/10 min., and a compatibilizer that includes a styrenic triblock copolymer having a meltflow rate of about 20 g/10 min. or more. As described throughout the present specification, this unique combination of unsaturated styrenic triblock copolymers results in a thermally stable composition for improved film extrusion processing of unsaturated block copolymers. As explained in the specification, while unsaturated block polymers have been frequently used in adhesive-type applications, the use of such polymers has presented significant manufacturing challenges in extrusion of film and filaments. The stability of the unsaturated block copolymers over the extended period of time required to extrude film and filaments is not predictable and often results in severe manufacturing disturbances. The cited references of record individually or in combination do not teach or suggest of the unique combination of claim 33 for solving the noted deficiencies.

Jaeger '908 discloses embodiments of a multilayer film, but does not teach or suggest of the blended composition according to claim 33. Examples 37 through 40 of the reference use the elastomer identified as "E1" in column 9. E1 is an SIS block copolymer of 83 percent triblock copolymer and contains 15 percent by weight of styrene. It may well be that the E1 material (identified as Kraton 1107) satisfies one of the blended composition elements of claim 33, but not both. For example, E1 may satisfy the component of claim 33 calling for an unsaturated triblock copolymer with a meltflow rate of less than 20 g/10 min. However, there is no indication that any component of the material satisfies the additional requirement of claim 33 calling for a compatibilizer styrenic triblock copolymer having a meltflow rate of 20 g/10 min. or more. In fact, there is no indication that any other component of the material is even a triblock copolymer. It is noted that the Examiner has identified Kraton 1107 as a triblock and diblock copolymer composition. Even if the Kraton 1107 material is a mixture of a diblock and triblock copolymer, as asserted by the Examiner, the diblock component is not either one of the styrenic triblock copolymers of claim 33.

It is also of note that Jaeger '904 discloses material "E4" in column 9 as an SIS block copolymer identified as Vector 4111. This material is one of the materials identified in the present application as suitable for the unsaturated styrenic triblock copolymer having a meltflow rate of less than 20 g/10 min. There is no teaching or suggestion anywhere in the reference that the material E4 should be combined with any other styrenic triblock copolymer having a meltflow rate of about 20 g/10 min. or greater to form a thermally stable composition suitable for extruding a film, as called for in claim 33.

The various styrenic materials (E1 through E5) identified in column 9 of Jaeger '908 may satisfy the unsaturated triblock copolymer requirement of claim 33, but there is no teaching or suggestion in the reference that any one of the materials should be combined with another styrenic triblock copolymer having a mass flow rate of greater than 20 g/10 min. that functions as a compatibilizer to enhance the thermal stability of any such composition.

Accordingly, applicants respectfully submit that the present claims distinguish over Jaeger '908 alone or in combination with any other reference of record.

Hyde '949 describes an adhesive composition, and is unrelated to an extruded film, or a nonwoven composite having such extruded film adhered to a nonwoven material. Accordingly, for at least these reasons, Hyde '949 cannot anticipate claim 33. In addition, as acknowledged by the Examiner, Hyde '949 discloses a process wherein an adhesive blend includes the same Kraton 1107 material discussed above with respect to Jaeger '908. Accordingly, the above analysis also applies to Hyde '949, namely that the Kraton 1107 copolymer does not satisfy the blended composition requirements of claim 33 calling for an unsaturated styrenic triblock copolymer having a meltflow rate of less than 20 g/10 min. and a compatibilizer having a styrenic triblock copolymer with a meltflow rate of greater than 20 g/10 min.

Accordingly, it is respectfully submitted that all of the pending claims patentably distinguish over Hyde '949 alone or in combination with any other cited reference of record.

The Hoshi '546 publication does not provide teaching or motivation to one skilled in the art to modify the adhesive composition of Hyde '949 to form a thermally stable

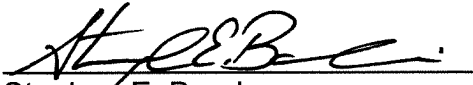
extruded film composition. As explained in the Background section of the present application, the use of unsaturated triblock copolymers is already known in adhesive compositions, which do not require the thermal stability necessary for forming films or filaments. Thus, there would be no need to thermally stabilize unsaturated triblock copolymers in an adhesive composition with a compatibilizer having a meltflow rate as called for in claim 33. In addition, even if one were motivated to improve the processibility of the adhesive combination of Hyde '949, the result is still an adhesive, and not an extruded film.

With respect to Jaeger '908, Hoshi '546 does not provide teaching or motivation to make an extruded film in accordance with claim 33 of the present application. Hoshi '546 describes a very particular type of block copolymer (I) that is unrelated to styrenic triblock copolymers, and then simply states that processibility of this particular copolymer may be improved if the copolymer has a mass flow rate of from 1 to 20 g/10 min. It cannot reasonably be asserted that this statement teaches one skilled in the art to add a triblock styrenic copolymer having a meltflow rate in excess of 20 g/10 min. to an unsaturated styrenic triblock copolymer having a meltflow rate less than 20 g/10 min.

Accordingly, applicants respectfully submit that all of the presently pending claims are allowable over the applied references, and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience should he have any questions regarding this matter or require any additional information.

Respectfully submitted,

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